HIGH & DRY | Water woes pit Lakeside neighbors against Barona Casino

The San Diego Union - Tribune; San Diego, Calif.; Sep 15, 2002; John Wilkens

In the long, sometimes ruthless history of land development in Southern California, there is an old saying: Water flows uphill, toward money.

The folks on Old Barona Road in Lakeside, neighbors to a massive expansion nearing completion at the Barona Casino, believe they're watching it happen right before their eyes.

They live in a rural pocket that gets its water from wells drilled deep into underground rock, where moisture gathers in the cracks and crevices of time.

Finding the water is tricky. One homeowner might drop a well to 500 feet and find a relative gusher; the next-door neighbor might go 1,000 feet down and get only a trickle. Groundwater, like fate, is fickle.

"Our area has always been known as fragile and we've never had a lot of water," said Frances Gesiakowski, who has owned property on Old Barona for 13 years and lived there for the past two. "But we've always had enough."

Not now.

Some wells out there are sucking air in the summer heat. Gesiakowski and about 15 other residents are paying to truck water in so they have something for drinking and bathing. The value of their properties is falling.

The San Diego region is trapped in a drought -- last year was the driest on record -- so the failure of water wells is not surprising. They are sputtering all over the county.

But the residents of Old Barona trace their problems to a specific event -- the $260 million expansion launched in 1999 at the nearby casino owned by the Barona Indians.

It's a saga full of political intrigue and big dreams, with history turned upside down. This time it's the Indians being accused of riding roughshod over their neighbors and squandering natural resources in the name of progress.

Barona's expansion, which includes an 18-hole, 250-acre golf course and an eight-story, 400-room hotel, is boosting water use dramatically on the reservation. While expressing sympathy for the plight of their neighbors, tribal officials have denied any responsibility.

"Our own people depend on our groundwater," tribal chairman Clifford LaChappa told a reporter in November 2000. "If our use of our water has no effect on us on the reservation, it certainly has no effect on others off the reservation."

But now, after more than 20 months of irrigating the golf course, the tribe's own wells are in trouble. In a report filed with the county, Barona officials admit they don't have enough water to meet their current demand -- let alone when they finish the expansion later this year.

They won't have enough even if the drought ends, the report says.

The Indians have proposed an ambitious and controversial solution: They want to run a pipeline from the reservation, downhill about two miles past the neighbors on Old Barona Road, and directly into San Vicente, a reservoir that serves the city of San Diego.

They say it's an emergency.

The neighbors see it as something else.

"To watch all the water in our wells drained out, then watch a pipeline go right by us," Gesiakowski said, her voice trailing off.

"That would be a little much."

o o o

To many people, the success of tribes such as Barona has been one of the feel-good stories of the past 20 years: a downtrodden people rising to better their lives, seize control of their destinies and wield enormous power -- financially, politically, socially.

With 2,300 workers, Barona is among the county's top private employers. Its annual payroll is $70 million, and it spends about $88 million each year on goods and services in the community.

Yet in the neighborhoods near Barona, as in those near casinos up and down the state, some people say their lives are being changed, too -- and not for the better. They cite worries about noise and traffic.

And water.

When Barona released an environmental evaluation of the expansion in March 2000, water was a key element. By then, the golf course was already being built, and the neighbors, along with county officials, expressed concern.

Golf courses are notorious water hogs. They are almost never approved for construction in the county using just groundwater. Yet Barona's consultants said the amount of water being pumped from wells on the reservation might actually decrease when the expansion was finished.

That's because the project also included a new water-recycling plant. All the irrigation for the golf course, according to the environmental report, eventually would be done with water captured and filtered after it was used first in the casino and the tribe's homes.

In all, Barona expected to extract about 336 acre-feet of water per year once the expansion was finished, less than the 425 acre- feet that its consultants estimated could be safely pulled from the basin.

The tribe also planned to use 184 acre-feet of recycled water for irrigation on the golf course and other landscaping. (An acre-foot is about 326,000 gallons, or enough to serve the average annual needs of two families.)

Skepticism abounded.

The county and an expert hired by some of the neighbors doubted there would be enough water for the project and were wary of its impact on nearby wells. They asked for more information and were frustrated when it wasn't forthcoming.

"Overall, the (tribe's environmental report) simply makes conclusions without data to support the technical findings," county officials wrote in one letter.

As a sovereign nation, Barona doesn't have to follow state or federal environmental law when it wants to build on the 6,000-acre reservation. The gaming compact it has with the state requires it to make a "good faith effort" to follow the regulations.

And unlike other major projects in the county, which are vetted by independent government agencies, a project on the reservation is proposed and approved by the same entity: the tribe.

In this case, Barona looked at the various concerns raised about water and opted to continue with the expansion. Indian officials pledged to drill observation wells so they could monitor the underground basin and maintain it as a reliable long-term source of water.

The golf course opened in January 2001, the first ever on a California reservation. Barona officials said they were moving closer to fulfilling their dream of creating a "world-class resort destination."

o o o

By the time the first putt rolled across a green at the $12 million Barona Creek Golf Club, some of the residents along Old Barona Road were getting desperate about water.

In logs kept by one of the neighbors, they had watched water levels drop in wells up and down the dirt road since the fall of 1999, shortly after the expansion began.

"We've been in a drought, and we know that's responsible for a chunk of it, but something else is going on, too," said David Landry, a resident and member of the Lakeside Community Planning Group.

Steve Holloway, a retired city firefighter, said his well went dry in April 2000. "I've lived here 17 or 18 years and never had any problems until this," he said.

A year later, he had his well drilled deeper, from 500 feet to almost 1,200 feet, and hit water. It cost him about $20,000. The well is producing enough now for his needs.

Gesiakowski, a social worker, said her well, drilled in 1996, fizzled to almost nothing last summer. She now pays the Ace Water Co. to deliver 2,000 gallons about six times each month, at a cost of $120 per load, and dump it into storage tanks.

Her use is higher than most along the road because she has nine horses on her 3.5-acre parcel. A typical family of four in the area would buy two loads per month.

Because Gesiakowski's well doesn't produce enough water to supply the house, no bank would lend money to anybody interested in buying it, she said. As a result the county reassessed her property downward, to $90,000. "It cost me $160,000 to build it two years ago," she said.

The residents haven't been quiet about all this. They have written letters to newspapers and local legislative leaders. They have gone to public meetings.

Their constant cries have been met by equally constant denials.

Barona said studies by its consultants, done in connection with the environmental report for the expansion, show the neighbors and the reservation draw water from separate underground aquifers.

Over and over, the Indians said their wells were working fine, that monitoring showed they were extracting a safe amount from the ground, that the golf course was using recycled water.

John Peterson, the county's groundwater geologist, said the tribe has been asked to provide detailed well logs and other records to support its contentions, to no avail.

So the most Peterson will say publicly is this:

"I can neither confirm nor deny any interconnection between production on the reservation and Old Barona Road."

o o o

In April, Barona announced that its golf course had been named the fourth best course in California by a golf magazine, and that it had won an award for "environmentally sustainable development" from Audubon International.

"Throughout the planning and development stages of the golf course, we were dedicated to conserving the beauty and environmental balance of our land," LaChappa, the tribal chairman, said in a press release.

He said the Audubon designation, which came after the tribe developed a plan to manage the reservation's natural resources, "guarantees the sustainability of the golf course and surrounding land for generations."

Later that same month, the "sustainability" part was called into question. Barona officials acknowledged that, for the previous four months, they had been quietly negotiating with the city of San Diego about running a pipeline into San Vicente Reservoir.

Neither side would discuss the details: How much water the tribe wanted, and what it would give the city in return. To the neighbors, though, it was the first sign the reservation was having water problems.

Art Bunce, an attorney for Barona, downplayed any hint of a crisis. He told reporters at the time the tribe had plenty of water and that it merely wanted a temporary supply from the city to "bank" for later use.

Running a water distribution line from San Vicente to Barona is not complicated physically. But it carries ramifications, including the potential for sparking growth in the rural areas that typically surround reservoirs. If one neighboring parcel gets reservoir water, why not another? And once they have water, what's to stop them from being developed more fully?

In fact, when Barona's neighbors heard about the proposed pipeline, several asked that they, too, be included, although they said they want the water to meet their current needs, not for more building.

Marsi Steirer, a city deputy water director, said she knows of no similar water arrangement between a private business, such as a resort, and the city. But she also noted the city has mutual- assistance pacts with neighboring jurisdictions, including other cities and Mexico, and that Barona, as a sovereign government, could fit into that category.

The agreement between Barona and the city was being drafted when the tribe jumped the gun. In early May, a contractor graded an old jeep road that snakes through the Padre Barona Creek canyon. The road used to run to the town of Foster, abandoned when the reservoir was completed in 1943.

If the work had been done on just reservation land, that would have been one thing. But to reach San Vicente, the contractor also scraped across property governed by the county.

Without getting the proper permits, trees were cut down. Brush was cleared. Two buildings were erected. Part of the creek bed was filled with dirt, and silt spilled into the lake.

What that meant for the Indians was that the gates of bureaucratic hell had swung open. And for the neighbors and the government officials concerned about the impacts of Barona's expansion, it meant a rare opportunity to exert control over the tribe's plans.

Almost immediately, the authorities issued "stop work" orders to Barona regarding the pipeline. The tribe was cited for violating county regulations and threatened with fines. It was told it probably would need to apply for a full environmental impact review.

About the only way Barona could avoid the scrutiny would be to seek an emergency exemption, arguing -- for the first time publicly - - that its water situation was dire.

That's what the tribe did.

o o o

Barona now estimates it needs 779 acre-feet of water per year on the reservation -- 566 of it for irrigation on the golf course and other landscaping.

When the rest of the expansion (the 400-room hotel and a larger casino) is completed at the end of the year, demand will jump to 1,099 acre-feet, the tribe said.

Those numbers are higher than anything previously projected. "It's pretty clear they were just flat-out wrong about how much water they would use," said Bob Bowling, one of the Old Barona Road residents. "That's what people have been trying to tell them all along."

Tribal officials declined to comment for this story.

Demand, of course, is just one-half of the water equation. Supply is the other. And the tribe, as it turned out, was wrong about that, too.

According to a report filed with the county, Barona currently can generate 371 acre-feet of water each year. That includes 213 acre- feet extracted from the ground, about half the amount the tribe's consultants had earlier estimated was the safe yield. And it includes just 98 acre-feet of reclaimed water, far less than what's needed for the golf course.

The tribe, blaming the drought, said some of the reservation's wells are going dry as the water table drops. Barona has drilled additional wells in recent months to boost production.

But even in a "normal" year, when the reservation receives about 14 inches of rain, supply would fall short of demand, according to the report. In a normal year, supply (including groundwater, reclaimed water, and storm water captured in ponds) would be 753 acre-feet.

In other words, the tribe right now is running a deficit of 408 acre-feet of water per year. If the drought continues, the deficit would reach 728 acre-feet.

And even if the drought ends this winter, and the reservation gets its normal amount of rainfall, demand would outstrip supply by 346 acre-feet per year.

The tribe would like to run the pipeline into San Vicente to ease the shortfall. At some point, according to plans filed with the county, Barona also wants to make the temporary pipeline permanent.

Right now, it is asking for up to 1,000 acre-feet of raw water so it can recharge the aquifer. That is usually done by pouring the water on the ground, saturating the soil and replenishing underground storage areas.

But so far, the county isn't buying the argument that what's happening on the reservation is an emergency.

In a letter to Barona, county planners noted the tribe has enough water for its drinking and sanitary needs, and that the shortfall is due chiefly to irrigation for the golf course. They suggested the reservation do more to conserve water.

The planners outlined close to a dozen areas of concern and estimated it could take up to a year for the project's environmental impacts to be evaluated.

Behind the scenes, strings are being pulled. One county memo says "political pressure is intense" for the pipeline to be approved. Local and state legislators have called. The federal Department of the Interior has sent a letter.

But there's pressure in the other direction, too. A San Francisco lawyer representing Save Our Forests and Ranchlands, a local advocacy group,

wrote to the city, warning that a full environmental review should be done before any aspect of the pipeline is approved.

The Lakeside Community Planning Group also has asked for a detailed environmental analysis.

Out on Old Barona Road, the residents are wary. "When it comes to the casino, the Indians always seem to get their way," Bowling said. The neighbors recently formed a group, The Old Barona Road Association, in the belief there might be strength in numbers, even in the face of water flowing uphill.

[Illustration]

6 PICS; Caption: 1. Nobody has to lead Frances Gesiakowski's horses to water, and nobody has to make them drink. She trucks water in to her Old Barona Road property because her well has gone dry. 2. Frances Gesiakowski nuzzles one of the nine horses she keeps on her land. Her property has been reassessed downward because of water problems. 3. Guy Biggs unrolls a hose at Frances Gesiakowski's house before delivering 2,000 gallons of water into storage tanks. (E-4) 4. Guy Biggs, owner of Ace Water, has been busy this summer, bringing supplies to folks on Old Barona Road and elsewhere. (E-4) 5. Some of the Old Barona Road residents can see the Barona Casino expansion from their back yards. Many of them blame the project for water problems in their neighborhood. (E-4) 6. The 17th hole at the Barona Creek Golf Club includes this creek. Photo was taken in January 2001, when the Barona Creek Golf Club opened. (E-5); Credit: 1,2,3,4,5. JOHN GIBBINS, Staff Photographer 6. Jim Baird / Union-Tribune

Credit: STAFF WRITER